

No. 06-4655

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

RICHARD WADE COOEY,II,
Plaintiff
JOHN G. SPIRKO, JR.,
Intervenor - Appellant
v.
ROBERT TAFT, GOVERNOR,
Defendant - Appellee

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O R D E R

Before: BATCHELDER, Chief Circuit Judge; DAUGHTREY and GILMAN, Circuit Judges

In light of the commutation of the appellant's sentence from death to life without possibility of parole, and upon the advice of the parties that the case need not continue on the court's docket;

It is ORDERED that the appeal be, and it hereby is, DISMISSED.

ENTERED BY ORDER OF THE COURT



Leonard Green, Clerk

**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

Leonard Green
Clerk

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Re: Case No. 06-4655, *Cooey v. Taft, et al*
Originating Case No. : 04-01156

Dear Sir or Madam,

The Court issued the enclosed (Order/Opinion) today in this case.

Sincerely yours,

s/Laura A. Jones
Case Manager
Direct Dial No. 513-564-7023
Fax No. 513-564-7098

cc: Mr. James Bonini
Mr. Alvin B. Dunn
Ms. Carol Ann Ellensohn
Mr. Brian J. Laliberte
Mr. David C. Stebbins

Enclosure

No mandate to issue